

Remarks

Claims 1-20 remain pending in the Application. No new matter has been added due to the Amendments herein.

Drawings

In the Office Action, the Examiner objected to Figures 2A and 4B because they include the following reference character(s) not mentioned in the description: Ref. #220 in Figure 2A, Ref. #401 in Figure 4B and Ref. #440 in Figure 4B. Applicant has amended the Specification herein, e.g., the second paragraph on page 9 lines 11-18 and the third paragraph on page 13 lines 17-25, to resolve the clerical error. Therefore, Applicant respectfully submits the objection with respect to Figures 2A and 4B is moot.

Specification

In the Office Action, the Examiner objected to page 9 line 23, page 10 line 2 and page 13 line 8 for clerical errors. Applicant has amended the clerical errors pointed out by the Examiner. Therefore, the objections with respect to page 9 line 23, page 10 line 2 and page 13 line 8 are moot.

Rejection under 102(e)

Claims 1-5, 7-8, 11-15 and 17-20

In the Office Action, the Examiner rejected Claims 1-5, 7-8, 11-15, and 17-20 under 35 USC 102(e) as being anticipated by Thomas et al. (7,130,774). Applicant has reviewed Thomas et al. and respectfully states that Thomas et al. do not anticipate the present invention for the following rationale.

With respect to amended Independent Claim 1 (Claim 8 and 15 include similar features), Applicant respectfully states that Claim 1 recites: "A system for entry and display of blueprint data comprising a handheld device, said handheld device further comprising:

a graphical user interface for providing line segment data entry fields and for displaying input line segments;

a processor and memory adapted for accepting, storing, and editing line segment data associated with said input line segments” (emphasis added).

A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” /Verdegaal Bros. v. Union Oil Co. of California/, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). ... “The identical invention must be shown in as complete detail as is contained in the ... claim.” /Richardson v. Suzuki Motor Co./, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

Applicants respectfully contend that Thomas et al. fails to anticipate each and every element as set forth in the Claim. Specifically, Applicant does not understand Thomas et al. to anticipate the entry and display of blueprint data.

In general, blueprints are construction plans utilized to guide construction of a project. In contrast, measured drawings are not used to guide construction but are instead created to document an existing building or structure (emphasis added).

For example, Applicant understands Thomas et al. to teach a number of the advantages of measured drawings over the commonly known "blueprint" style of drawing. For example, that a measured drawing takes into account and reflects any changes made to the building or structure subsequent to the initial construction period.

In addition, Applicant understands Thomas et al. to teach that blueprints are almost never updated to reflect minor structural changes, such as moving doorways or windows, and are rarely updated to reflect even major changes, such as wall and ceiling modifications, and "add-ons".

Furthermore, Applicant understands Thomas et al. to teach that measured drawings can include features such as cabinets, fittings, fixtures and furniture that may never have been specified in a blueprint or original floor plan.

For these reasons, Applicant respectfully submits that the features of Claims 1, 8 and 15 are not anticipated by Thomas et al. As such, Applicant respectfully submits that the rejection under 102(e) is overcome and that Claims 1, 8 and 15 are allowable.

Moreover, Applicant understands Thomas et al. to teach at step 138 that the operator can readily and easily compare the generated drawing to the actual layout of the job-site and ensure the data has been recorded properly. Moreover, at step 140, Applicant understands Thomas et al. to teach that when the user is satisfied that the data is an accurate representative of the physical site, the data is written to, or stored in, a working database.

For this additional reason, Applicant respectfully submits that each and every element set forth in the Claim is not found, either expressly or inherently, in Thomas et al. Specifically, Applicant does not understand Thomas et al. to teach entry and display of blueprint data. Moreover, Applicant understands Thomas et al. to teach the shortcomings of blueprints and to actually teach away from entering and/or displaying blueprint data on a handheld device. As such, Applicant respectfully submits that the rejection under 102(e) is overcome and that Claims 1, 8 and 15 are allowable.

Accordingly, Applicant also respectfully submits that Claims 1-5 and 7 are dependent on Independent Claim 1, Claims 9-14 are dependent on Independent Claim 8 and Claims 17-20 are dependent on Independent Claim 15 and that Claims 2-5, 7, 11-14, and 17-20 recite further features of the present claimed invention. Therefore, Applicant respectfully states that Claims 2-5, 7, 11-14, and 17-20 are allowable as pending from allowable base Claims.

Rejection under 103(a)

Claims 6, 10 and 16

In the Office Action, the Examiner rejected Claims 6, 10 and 16 under 35 USC 103(a) as being unpatentable over Thomas et al. as applied to Claim 1 above, in view of Olmstead (7013234). Applicant has reviewed the cited references and respectfully submits that the present invention is not rendered obvious over Thomas et al. in view of Olmstead for the following rationale.

Regarding Olmstead, Applicant understands the Examiner to state that Olmstead is in the same field of endeavor as entering data measurement in a handheld device. However, with this assertion, Applicant respectfully disagrees. That is, Applicant does not understand Olmstead to teach or render obvious entering data measurements in a handheld device.

In contrast, Applicant understands Olmstead to teach a computer software product having a computer-readable storage medium in which program instructions are stored, which instructions, when read by a computer receiving building element data, cause the computer to assemble the building element data into a boundary of the building, determine relative positions of at least two measurement points derived from the building element data, calculate distances between the at least two measurement points and at least two batter points located away from all of the at least two measurement points, and display and/or output the calculated distances (emphasis added).

In addition, Applicant understands Olmstead to teach that the computer software in a computing device is capable of outputting the data to computer screens, such as those connected to desktop, laptop, and hand-held computers; it is also preferable that printouts containing the matrices of data can be obtained, thus enabling workers to take the data to the jobsite in a compact, inexpensive, and disposable form.

Therefore, Applicant respectfully submits that Olmstead does not teach or render obvious entering data measurements in a handheld device. Instead, Applicants understand Olmstead to teach that a handheld device may be used to receive an output of data, to be displayed on a screen, from a computing device. That is, Applicant does not understand Olmstead to teach or render obvious any type of entering of measurements into said handheld device, but instead, merely receiving data directed to displaying a result of measurements entered on a different device, on said handheld.

For this reason, Applicant respectfully submits that Olmstead is not, in fact, in the same field of endeavor of entering data measurements into a handheld device. As such, Applicant respectfully submits that the rejection of Claims 6, 10 and 16 under 35 U.S.C. §103(a) is improper and should be withdrawn.

Furthermore, assuming arguendo, Applicant respectfully states that Claim 6 is dependent from an allowable Independent Claim 1. Therefore, Claim 6 is also in condition for allowance as being dependent on an allowable base Claim and reciting further features of the present claimed invention.

Regarding Claim 10, assuming arguendo, Applicant respectfully states that Claim 10 is dependent from an allowable Independent Claim 8. Therefore, Claim 10 is also in condition for allowance as being dependent on an allowable base Claim and reciting further features of the present claimed invention.

Furthermore, assuming arguendo, Applicant respectfully states that Claim 16 is dependent from an allowable Independent Claim 15. Therefore, Claim 16 is also in condition for allowance as being dependent on an allowable base Claim and reciting further features of the present claimed invention.

Claim 9

In the Office Action, the Examiner rejected Claim 9 under 35 USC 103(a) as being unpatentable over Thomas et al. and further in view of Minakata et al. (5,568,565). Applicant has reviewed the cited references and respectfully submits that the present invention is not rendered obvious over Thomas et al. in view of Minakata et al. for the following rationale.

Regarding Minakata et al., Applicant understands the Examiner to state on page 12 lines 4-6 Thomas does not expressly teach a repeat factor. However, Minakata teaches "Repetition factor Rf is a parameter which shows whether the user intends to repeatedly write line segments" (col. 5 lines 26-27).

With this statement, Applicant respectfully disagrees. That is, Applicant does not understand Minakata et al. to teach or render obvious entering a repeat factor for said line segment.

As clearly shown in Figures 2A and 2B and clearly described in the Specification including page 9 line 20 through page 10 line 14, the repeat factor is a user selectable input. That is, the repeat factor of Claim 9 is a user input that is not weighed, or otherwise used in any calculation to determine if a user actually meant to repeat the line. In other words, as shown in the specification, if the user selects a repetition factor of 3, then 3 line segments are drawn.

In contrast, Applicant understands Minakata et al. to teach that a repetition factor Rf is calculated by reading out the data corresponding to repetition factors for previously input strokes, said previously input strokes input in said same local area as said current stroke, Rf being calculated from said previous repetition factors by increasing the number of repetition factors by one; and a three-dimensional weighting function Vf is calculated as a function of said calculated Cf, Mf, Jf and Rf (emphasis added).

Therefore, Applicant respectfully submits that Minakata et al. does not teach or render obvious entering a repeat factor for said line segment. For this reason, Applicant respectfully submits that Minakata et al. is not, in fact, teaching or rendering obvious a user enterable field that is directed toward a repeat factor for the line segment. As such, Applicant respectfully submits that the rejection of Claim 9 under 35 U.S.C. §103(a) is improper and should be withdrawn.

Moreover, assuming arguendo, Applicant respectfully states that Claim 9 is dependent from an allowable Independent Claim 8. Therefore, Claim 9 is also in condition for allowance as being dependent on an allowable base Claim and reciting further features of the present claimed invention.


Conclusion

In light of the above amendments and remarks, Applicant respectfully requests allowance of Claims 1-20.

The Examiner is invited to contact Applicants' undersigned representative if the Examiner believes such action would expedite resolution of the present application.

Respectfully submitted,
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